

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

FUSION ELITE ALL STARS and SPIRIT
FACTOR LLC D/B/A FUEL ATHLETICS,
Individually and on Behalf of All Others
Similarly Situated

Plaintiffs,

v.

VARSITY BRANDS, LLC; VARSITY
SPIRIT, LLC; VARSITY SPIRIT FASHION
& SUPPLIES, LLC; and U.S. ALL STAR
FEDERATION, INC.,

Defendants.

Civ. Action No. 2:20-cv-03390

STARS AND STRIPES GYMNASTICS
ACADEMY INC. D/B/A STARS AND
STRIPES KIDS ACTIVITY CENTER,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

VARSITY BRANDS, LLC; VARSITY
SPIRIT, LLC; VARSITY SPIRIT FASHION
& SUPPLIES, LLC; and U.S. ALL STAR
FEDERATION, INC.,

Defendants.

Civ. Action No. 2:20-cv-03277

**DECLARATION OF STEVE PETERSON IN SUPPORT OF
DEFENDANTS' JOINT MOTION TO TRANSFER CASES TO THE WESTERN
DISTRICT OF TENNESSEE**

I, Steve Peterson, declare as follows:

1. I am Vice President of the U.S. All Star Federation (“USASF”), which is headquartered in Memphis, Tennessee. I am a resident of Memphis, Tennessee.

2. I have reviewed Plaintiffs’ Complaints in the above-referenced actions, which I understand name USASF as a defendant.

3. Based on the allegations in the Plaintiffs’ Complaints, I expect that a substantial portion if not all of the books and records of USASF that may be relevant in this case are located in Memphis, Tennessee at USASF’s office. None of the apparently relevant employees reside in the Eastern District of Pennsylvania.

4. In Memphis, TN, USASF evaluates and decides whether companies—including gyms—should be approved to conduct USASF-sanctioned competitions cheerleading and dance competitions. Such companies then enter into agreements with USASF pursuant to which they agree to comply with USASF’s rules applicable to USASF-sanctioned events. These agreements are prepared and entered into by USASF in Tennessee. They also contain a venue provision requiring all disputes relating to the agreements to be litigated in Shelby County, Tennessee.

5. As I understand Plaintiffs’ definitions of the proposed class of similarly situated persons, the proposed class would include gyms who both have entered into such agreements with USASF to host competitions and have paid Varsity or any Varsity subsidiary for fees and expenses associated with participating in competitions or apparel. In other words, the proposed class includes entities that have already agreed to litigate disputes against USASF in the Western District of Tennessee.

6. None of the competitions identified in the Complaints as Worlds, The Summit, or U.S. Finals are conducted in the Eastern District of Pennsylvania.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on the 31st day of July, 2020.

A handwritten signature in black ink, appearing to read "Steve Peterson", written over a horizontal line.

Steve Peterson